



Co-Chair Edward Meyer
Co-Chair Richard Roy
Senator John McKinney
Representative Clark Chapin

Members of Environment Committee:

I am submitting testimony in **opposition to H.B. 5119, AN ACT CONCERNING MINOR REVISIONS TO THE UNDERGROUND STORAGE TANK PETROLEUM CLEAN-UP ACCOUNT AND GROUNDWATER POLLUTION ABATEMENT STATUTES.**

The Independent Connecticut Petroleum Association (ICPA) represents 560 petroleum marketers and their associated business in Connecticut. ICPA members employ over 13,000 people in our state and provide our fellow citizens with gasoline and heating oil.

GASDA represent 450 members and they are responsible for selling over 60% of all gasoline sold in Connecticut. Over the last 5-years, GASDA members have purchased approximately 200 locations from the Major Oil Companies and are on track to purchase another 100 in 2010. This has kept jobs here in Connecticut rather than selling locations which end up for other than service station use and prevent the ranks of the unemployed from growing further at a time when the state can least afford more unemployment claims!

Section 1(2) proposes to prohibit commercial tank owner from accessing the underground storage tank petroleum clean-up program, in cases where the Department of Environmental Protection (DEP) responds to a "suspected release".

The opening statement on DEP's web site states that their mission is "*conserving, protecting and improving the natural resources and environment of the state*". If that is the case, H.B. 5119 is in direct contrast to accomplishing that mission.

The entire purpose of the Tank Program is to ensure that leaking underground petroleum tanks are cleaned up so that potable water supplies are protected from contamination. H.B. 5119 threatens that very protection by denying access to tank owner when DEP responds to a suspected release.

Denying access to the Tank Program means that the tank owners will no longer be in compliance with federal Environmental Protection Agency (EPA) requirements simply because DEP responded to a suspected leak. Failure to comply with federal law will require these stations to close. The resulting closures will reduce competition and increase the retail price of gasoline.

If passed, the response to this language may result in closing of the gasoline stations and laying off employees, who work in them, delayed reporting of a release, no reporting of the release at all or abandonment of the leaking tanks entirely.

If part of DEP's mission is to protect the environment, this legislation fails miserably in accomplishing that goal. H.B. 5119 is not about protecting the environment – it is about saving money at the expense of the environment.

We ask that the Environment Committee consider substitute language to address funding cuts to the Commercial Tank Program, which has lead to a massive back log at the expense of local family owned businesses and the environment. Proper funding ensures a clean environment, jobs and a competitive gasoline market. H.B. 5119 as currently worded has the opposite effect.

We ask that the Environment Committee **oppose H.B. 5119, AN ACT CONCERNING MINOR REVISIONS TO THE UNDERGROUND STORAGE TANK PETROLEUM CLEAN-UP ACCOUNT AND GROUNDWATER POLLUTION ABATEMENT STATUTES.**

Respectfully,

Michael J. Fox

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Christian A. Herb
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